



Express Mail Label No. EV 912 289 139 US

PATENT APPLICATION
Docket No: 13914.380.1.1.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Serial No.:	10/083,453)
Filing Date:	February 26, 2002) Art Unit 3764
Confirmation No.:	8307)
For:	Fold-Out Treadmill)
Examiner:	Glenn E. Richman)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Mail Stop: RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which

the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

Statement of Relevance of References Listed
Unaccompanied by English Translation
Under 37 C.F.R. § 1.98 (a)(3)

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof that is not a US patent document is also enclosed.

Document Number	Publication Date	Country/Patent Office	Relevance of Document
2 225 342	12/1973	Germany	As shown in Figures 1 and 2, the patent relates to use of a compressionable cylinder or spring.
2 408 052	12/1973	Germany	As shown in Figures 1 and 2, the patent relates to use of a compressionable cylinder or spring.
3601184 A1	1/1986	Germany	As shown in Figures 2 and 3, the patent relates to treadmills.
1044355	11/1954	Germany	As shown in Figures 1 and 2, the patent relates to treadmills.
1057928	5/1957	Germany	As shown in Figures 1-3, the patent relates to treadmills.
238211	1993	China	As shown in Figure 1, the patent relates to treadmills.
222239	1993	China	As shown in Figure 1, the patent relates to treadmills.
223261	1993	China	As shown in Figures 1, the patent relates to rotating belt treadmill type devices.
825122	07/1977	Russian Federation	As shown in Figure 1, the patent relates to rotating belt treadmill type devices.
1248615A1	07/1986	U.S.S.R.	As shown in Figure 1, the patent relates to foldable or movable exercise equipment.
1297879 A1	2/1985	U.S.S.R.	As shown in Figures 1 and 2, the patent relates to treadmills.
740943	8/1932	France	As shown in Figures 1 and 2, the patent relates to treadmills.
1432392	2/1965	France	As shown in Figure 1, the patent relates to exercise equipment

[] [] and adjustable bases.

French Patent No. 2527457-A, Issued 5/28/1982: Rolling mat for leg exercises – has user supported by harness hooked to two rods and having chest and neck straps. The rolling mat (1) moves freely over rollers (4,5) towards the front. The movement is regulated by an inertial weight in the front roller (5). The user is supported on the mat by a harness and his body leans on a chest strap (32) suspended from a strap (33) round his neck.

The sides of the harness (31) are hooked on to two rods (21) at an oblique angle, sloping backwards. For storage, the rods can be folded forwards. The apparatus can also be used in a vertical position.

French Patent No. 2677257-A1, Issued 6/6/1991: Walking, jogging and running on-the-spot machine – has electronic unit giving information regarding user performance, with ratchet mechanism preventing forward motion of endless belt. The exercise machine is housed in a chassis. A continuous rolling road band (21) is mounted on drive cylinders (13), and driven round by them. The drive speed can be adjusted by movement of an arm attached to a cam control which can be controlled by the user.

A rear section (4) houses the electronics. The speed of the rolling road is timed by a computer to display the pace of the user, and the pace can be adjusted from the computer.

ADVANTAGE: Allows running exercises to be carried out on spot, leaving arms and body free to balance.

Japan PCT Patent No. WO 81/01960, Issued 7/23/1981: Running Machine. Running machine which can move in the same manner that the entire body and limbs move to run, and run at a high speed including acceleration and deceleration selected by a runner, and incorporates an endless movable belt moving backwardly as the user runs, in order to safely obtain the running

exercise effect. This machine consists of first means for longitudinally elastically supporting the runner's abdomen or waist at a supporting base to thereby apply the motion of the upper body to the machine, and second means for limiting the ratio of the runner's inertia to the mechanical exercise system's inertia to a predetermined range to thereby stabilize the running exercise. In order to render the running feeling close to that of natural running, the mechanical loss of the mechanical exercise system is reduced to as great an extent as possible. Compensating the residual mechanical loss by an electromotive force is practical and economical.

Dated this 12 day of July, 2006.

Respectfully submitted,



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Telephone No. 801.533.9800

MMB/lrc
LC0000003220V001

Applicant: William T. Dalebout et al.
 Serial No.: 10/083,453
 Filing Date: February 26, 2002
 For: FOLD-OUT TREADMILL

Confirmation No.: 8307
 Att'y Docket No.: 13914.380.1.1.1
 Art Unit: 3764



INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date/ Publication Date</u>	<u>Name</u>
____ 1	D211,801	07/30/68	Quinton
____ 2	D217,173	04/1970	Frasier
____ 3	D218,107	7/1970	Feather et al.
____ 4	D219,744	01/1971	Hesen
____ 5	D270,555	09/1983	Ogden
____ 6	D277,304	01/1985	Smith et al.
____ 7	D280,002	08/1985	Smith
____ 8	D283,239	04/1986	Smith et al.
____ 9	D284,597	07/1986	Smith et al.
____ 10	D289,668	05/1987	Gremonprez et al
____ 11	D291,821	09/1987	Kiiski
____ 12	D299,669	1/1989	Harter
____ 13	D300,046	2/1989	Armstrong et al.
____ 14	D304,849	11/1989	Watterson
____ 15	D306,468	03/1990	Watterson
____ 16	D306,891	03/1990	Watterson
____ 17	D313,826	01/1991	Birrell
____ 18	D315,765	03/1991	Measom et al
____ 19	D316,124	04/1991	Dalebout et al
____ 20	D318,086	07/1991	Bingham et al.
____ 21	D323,009	01/1992	Dalebout et al

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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____ 22	D323,198	01/1992	Dalebout et al
____ 23	D323,199	01/1992	Dalebout et al
____ 24	D333,330	02/1993	Clem
____ 25	D342,107	12/1993	Chang
____ 26	D344,557	02/1994	Ashby
____ 27	D348,494	07/1994	Ashby
____ 28	D351,202	10/1994	Bingham
____ 29	D351,633	10/1994	Bingham
____ 30	D361,806	08/1995	Bartlett
____ 31	D361,807	08/1995	Bartlett
____ 32	D375,063	10/1996	Stevens
____ 33	D376,777	12/1996	Stevens
____ 34	D387,402	12/1997	Coody et al.
____ 35	284,294	09/19883	Graves
____ 36	674,391	05/1901	Baker
____ 37	897,722	05/1908	Day
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____ 45	1,824,406	09/1931	Petersime
____ 46	2,067,136	1/1937	Bridenbaugh
____ 47	2,177,957	05/1938	Heller
____ 48	2,165,700	07/1939	Glynn

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____ 49	2,219,219	10/1940	Boger
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____ 51	2,399,915	05/1946	Drake
____ 52	2,632,645	03/1953	Barkschat
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____ 55	3,035,671	05/1962	Sicherman
____ 56	3,193,287	07/1965	Robinson
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____ 73	4,113,071	09/1978	Muller et al.
____ 74	4,274,625	06/1982	Gaetano
____ 75	4,344,616	08/1982	Ogden

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____ 77	4,363,486	12/1982	Fisher et al.
____ 78	4,370,766	02/1983	Teague, Jr.
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____ 88	4,580,983	04/1986	Cassini et al.
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____ 102	4,792,134	12/1988	Chen

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____ 130	5,403,254	04/1995	Lundin et al.
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____ 135	5,454,770	10/1995	Stevens
____ 136	5,460,586	10/1995	Wilkinson et al.
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<u> </u> 157	5,709,632	01/1998	Socwell
<u> </u> 158	5,711,745	01/1998	Yang
<u> </u> 159	5,718,657	02/1998	Dalebout et al.
<u> </u> 160	5,722,922	03/1998	Watterson et al.
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<u> </u> 163	5,855,537	01/1999	Coody, et al.
<u> </u> 164	5,868,648	02/1999	Coody, et al.
<u> </u> 165	6,273,843	08/2001	Lo
<u> </u> 166	6,325,725	12/2001	Yu
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<u> </u> 168	6,579,211	06/2003	Wu
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<u> </u> 170	6,974,404	12/2005	Watterson
<u> </u> 171	US2005/0148443 A1	7/2005	Watterson et al.

Foreign Patent Documents

Examiner Initial*	Document Number	Publication Date	Country or Patent Office	Translation
<u> </u> 172	644,774	07/1962	Canada	N/A
<u> </u> 173	222239	04/1994	China	N/A
<u> </u> 174	223261	05/1994	China	N/A
<u> </u> 175	238211	01/1995	China	N/A
<u> </u> 176	0 095 226	03/1983	EPO	N/A
<u> </u> 177	740 943	08/1932	France	N/A

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____ 178	1,432,392	05/1965	France	N/A
____ 179	2 527 457	05/1982	France	N/A
____ 180	2 677 257	06/1991	France	N/A
____ 181	1044 355	10/1954	Germany	N/A
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____ 183	2 225 342	12/06/73	Germany	N/A
____ 184	2408 052 C3	12/1973	Germany	N/A
____ 185	3601 184 A1	01/1986	Germany	N/A
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____ 187	382,340	10/1932	Great Britain	N/A
____ 188	384,019	12/1933	Great Britain	N/A
____ 189	1 495 436	12/1977	Great Britain	N/A
____ 190	81/01960	04/1981	Japan	N/A
____ 191	1297879 A1	02/1985	Russian	N/A
____ 192	825122	07/1977	Soviet Union	N/A
____ 193	1248615	08/1986	Soviet Union	N/A
____ 194	1 505 702	03/30/78	United Kingdom	N/A
____ 195	2 152 825 A	08/1985	United Kingdom	N/A
____ 196	2 212 729 A	08/1989	United Kingdom	N/A
____ 197	2 274 599 A	08/1994	United Kingdom	N/A

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 198 2 274 600 A 08/1994 United Kingdom N/A

Other Documents
 (including author, title, pertinent pages, etc.)

Examiner <u>Initial*</u>	Document <u>Number</u>	Publication <u>Date</u>	Country or <u>Patent Office</u>	<u>Translation</u>
<u> </u> 199	AerobicRider Brochure, 4 pages without page numbers.			
<u> </u> 200	Advertisement for Sportmart Health & Fitness for the "The Step" (Sportmart Health & Fitness, January 23, 1993, 1 page).			
<u> </u> 201	Advertisement for "The Step" and "The Step II" (Sears the Great American Wish Book 1991, 2 pages, pp. title page, 600-601).			
<u> </u> 202	Advertisement for "Introducing The New Step Reebok Platform" Designed to Meet the Demands of the Health Club Industry (© 1993 Reebok International Ltd., 1 page).			
<u> </u> 203	Advertisement for "Step II"(Winter 1995 Home Fitness buyers Guide, 2 pages, pp. 69-70).			
<u> </u> 204	Copy of Brochure for Cintas De Footing Spirit, April 2, 1993, 1 page.			
<u> </u> 205	Copy of Brochure for Contour Jogger by BattleCreek Equipment, © 1979 Battle Creek Equipment Company, 2 pages.			
<u> </u> 206	Copy of Brochure for Fitness Equipment & Accessories, 51 pages, pp. 53-57, 64, 67, 70, 72, 76-84, 105, 4-5, 12, 16-32, 37-41, 50, 52(some pages are enclosed without page numbers).			
<u> </u> 207	Copy of Brochure for Fitness Sonner Land, 6 pages without page numbers.			
<u> </u> 208	Copy of Brochure for Flex 'n' Stride, printed July 6, 1993, 5 pages.			
<u> </u> 209	Copy of brochure for Genesis 1000", Technology for Total Fitness entitled "The Optimum Performance Home Fitness Center" (© Genesis, Inc., September 1985, 1 page).			
<u> </u> 210	Copy of brochure for Genesis 2000", Technology for Total Fitness entitled "The Ultimate in Home Exercise Equipment" (© Genesis, Inc., September 1985, 2 pages).			

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- 211 Copy of brochure for Genesis 3000", Technology for Total Fitness entitled "The Dynamic Answer to Home Fitness and Health" (© Genesis, Inc., September 1985, 1 page without page number).
- 212 Copy of brochure for Genesis 4000", Technology for Total Fitness entitled "The Modern Approach to Home Fitness and Health" (© Genesis, Inc., September 1985, 2 pages without page numbers).
- 213 Copy of brochure for Genesis 5000", Technology for Total Fitness entitled "The Advancement In Home Fitness and Convenience" (© Genesis, Inc., 1985, 1 page).
- 214 Copy of brochure for Genesis 6000", Technology for Total Fitness entitled "Maximum Workout in Minimal Space" (© Genesis, Inc., 1985, 1 page).
- 215 Copy of Brochure for JKExer Built For Health, 16 pages without page numbers.
- 216 Copy of Brochure for JKExer Built For Health, 28 pages without page numbers.
- 217 Copy of Brochure page "Treadmills and Benches," for Apache MT-006.
- 218 Copy of Brochure for MacLevy, 5 pages without numbers.
- 219 Copy of Brochure for Otros Productos Sonnen Land, printed April 2, 1993, 1 page.
- 220 Copy of brochure for Quinton Instruments, 1974, 34 pages, pp. title page, 1-32 (some pages are enclosed without pages numbers.)
- 221 Copy of Brochure for Roadmaster Fitness Equipment 1989 (© Roadmaster Corporation 1989, 6 pages).
- 222 Copy of Brochure for Sears.Sport, 6 pages, pp. 498-503.
- 223 Copy of Brochure for Service Merchandise, 3 pages without page numbers.
- 224 Copy of Brochure for SpaceMaker 1000 LS, 1 page without page number.
- 225 Copy of Brochure for Spirit, 8 pages without page numbers.
- 226 Copy of Brochure for Taiwan, 2 pages without page numbers.

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- ____ 227 Copy of brochure entitled "Technology for Total Fitness Genesis 1000", (© 1985 Genesis, Inc.) 6 pages.
- ____ 228 Copy of brochure for Vitamaster® 1988 Product Line entitled "Vitamaster®" (Vitamaster Industries, Inc., 1988, 10 pages without page numbers.
- ____ 229 Diagram of "HealthRider®" Parts Description (April 26, 1994, 1 page without page number).
- ____ 230 Formula Ventures Owners Manual 22115 Manual Treadmill, upon information and belief, available in 1994, 20 pages.
- ____ 231 HealthWare 87580M Treadmill Owner's Manual, 3 pages without page numbers.
- ____ 232 JC Penney Catalog, 1 page, pp. 740.
- ____ 233 Nordic Track Fitness At Home Catalog, available on information and belief at least as early as December 1994, 36 pages.
- ____ 234 Photographs of foldable treadmills, Formula Ventures, available on information and belief at least as early as 1994.
- ____ 235 Sears 1993 Spring/Summer Annual Catalog, 26 pages, pp. title page, 1384-1405, 1411 (some pages are enclosed without page numbers.
- ____ 236 Spirit SL445 P Motorized Treadmill Owners Manual, 23 pages, pp. title page, 1-21.
- ____ 237 Spirit SR275PH\SL445 PH Motorized Treadmill Owners Manual, 28 pages, pp. title page, 1-26.
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